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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/817,218      | 03/31/2004  | Jay F. Halsey        | 00240416P001aUS     | 2436             |

43309 7590 10/13/2006

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EXAMINER

STRIMBU, GREGORY J

ART UNIT PAPER NUMBER

3634

DATE MAILED: 10/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                                       |                                      |  |
|------------------------------|---------------------------------------|--------------------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/817,218  | <b>Applicant(s)</b><br>HALSEY ET AL. |  |
|                              | <b>Examiner</b><br>Gregory J. Strimbu | <b>Art Unit</b><br>3634              |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS; WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a): In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 25 September 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-47 is/are pending in the application.
- 4a) Of the above claim(s) 1-14 and 39-44 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 15-38 and 45-47 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 March 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |                                                                                      |                                                                   |
|--------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____                                                          | 6) <input type="checkbox"/> Other: _____                          |

### ***Election/Restrictions***

Claims 1-14 and 39-44 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on September 25, 2006.

### ***Drawings***

The drawings are objected to because the applicant has not used the proper cross sectional shading when showing the invention in cross section. For example, figures 2, 3a, 4a, and 6a show a cross sectional view of the invention, however, the applicant has failed to use the proper cross sectional shading indicating the material from which the invention is made. See MPEP 608.02. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top

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margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Specification***

The disclosure is objected to because of the following informalities: it is unclear what is meant by "[snubber]" on line 1 of page 8. Is the applicant attempting to amend the specification by indicating the word "snubber" should be deleted?

Appropriate correction is required.

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. It is suggested the applicant remove the reference to the method in the title since the claims to the method have been withdrawn.

### ***Claim Rejections - 35 USC § 112***

Claims 25-38 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Recitations such as "a support" on line 3 of claim 25 render the claims indefinite because it is unclear if the applicant is referring to the support set forth above or is attempting to set forth another support in addition to the one set forth above.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 15, 16, 18, 21, 25-30, 32 and 35 are rejected under 35 U.S.C. 102(b) as being anticipated by Kruse. Kruse discloses a reinforced sliding door comprising a door frame 8, 9, 10 having a locking edge (not numbered, but seen on the left in figure 3) and a free edge (not numbered, but shown on the right in figure 3) and a supporting member 19 coupled to the free edge of the door frame, the supporting member having a body portion (not numbered, but comprising the vertical portion of the supporting member 19) and an end portion (not numbered, but comprising the horizontal portion of the supporting member 19), the body portion disposed in alignment with the free edge of the door frame and having at least one hole (not numbered, but shown in figure 3) disposed therethrough, and the end portion extending beyond the free edge of the door frame when in a deployed position, the support member includes a groove (not numbered, but shown in figure 6).

Claims 15, 22, 23, 25, 36 and 37 are rejected under 35 U.S.C. 102(b) as being anticipated by Kruse. Kruse discloses a reinforced sliding door comprising a door frame (not numbered, but shown in figure 11) having a locking edge (not numbered, but seen on the left in figure 11) and a free edge (not numbered, but shown on the right in figure

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11) and a supporting member 25 coupled to the free edge of the door frame, the supporting member having a body portion (not numbered, but comprising the upper portion of the supporting member 25) and an end portion (not numbered, but comprising the lower portion of the supporting member 25), the body portion disposed in alignment with the free edge of the door frame and having at least one hole 40 disposed therethrough, and the end portion extending beyond the free edge of the door frame when in a deployed position, the supporting member comprises plastic and metal as set forth on lines 41-45 of column 4.

Claims 15, 24, 25 and 38 are rejected under 35 U.S.C. 102(b) as being anticipated by Agcaoili. Agcaoili discloses a reinforced sliding door comprising a door frame 19, 27 having a locking edge (not numbered, but comprising the door frame element 19 on the opposite side of the door) and a free edge 19 as shown in figure 3 and a supporting member 10 coupled to the free edge of the door frame, the supporting member having a body portion 39 and an end portion 15, the body portion disposed in alignment with the free edge of the door frame and having at least one hole 14 disposed therethrough, and the end portion extending beyond the free edge of the door frame when in a deployed position, the free end of the door frame includes a groove (not numbered, but defined between 22, 23 and 24 and the support member 10 includes a protrusion 13.

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Claims 15, 18, 19, 25, 32 and 33 are rejected under 35 U.S.C. 102(b) as being anticipated by Adams. Adams discloses a sliding door 11 comprising a door frame 12, 14 having a locking edge 12 and a free edge 12 and a supporting member 60 coupled to the free edge of the door frame, the supporting member having a body portion 64 and an end portion 66, the body portion disposed in alignment with the free edge of the door frame and having at least one hole 80 disposed therethrough, and the end portion extending beyond the free edge of the door frame when in a deployed position, a groove 72 in the shape of a T as shown in figure 9, a sill portion 16.

Claims 45-47 are rejected under 35 U.S.C. 102(b) as being anticipated by Agcaoili. Agcaoili discloses a reinforced grooved edge sliding door comprising: an opening frame 46; and a supporting bar 39, having a protrusion 13 that is insertable within an edge 22, 23, 24 of the grooved edge sliding door, positioned within and coupled to the opening frame, a screw 36, the door includes another supporting bar 39 for the opposite end of the door.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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Claims 17 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kruse as applied to claims 15, 16, 18, 21, 25-30, 32 and 35 above, and further in view of Shepard. Shepard discloses the use of screw 28 for attaching a supporting member 10 to a free edge of a sliding door 12.

It would have been obvious to one of ordinary skill in the art to provide Kruse with a screw, as taught by Shepard, to securely mount the supporting member to the door.

Claims 20 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adams as applied to claims 15, 18, 19, 25 and 33 above, and further in view of Moore. Moore in figure 4 discloses the use of a screw (not numbered, but shown in figure 4) for attaching a track D to a substrate, a supporting member B' straddles the screw as shown in figure 4.

It would have been obvious to one of ordinary skill in the art to provide the track of Adams, with a screw, as taught by Moore, to securely mount the track to a substrate.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Moose, Barber, Evans, Grossman, Tucker, and Kessler et al. are cited for disclosing a guide means for a sliding door.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Strimbu whose telephone number is 571-



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272-6836. The examiner can normally be reached on Monday through Friday 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Cuomo can be reached on 571-272-6856. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Gregory J. Strimbu  
Primary Examiner  
Art Unit 3634  
October 12, 2006